

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 6861
Koichi SUZUKI et al. : Attorney Docket No. 2006_0470A
Serial No. 10/573,794 :
Filed March 28, 2006 :

ROYAL JELLY PEPTIDE AND
COMPOSITION CONTAINING THE SAME :
: MAIL STOP: PETITION

**PETITION UNDER 37 C.F.R. §1.137(B) FOR REVIVAL OF UNINTENTIONALLY
ABANDONED PATENT APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A reply to the attached Notification of Defective Response was due August 29, 2007. Such a reply was not filed by this extended due date and therefore Applicants believe this case has become unintentionally abandoned. Applicants attest that the entire delay in filing this required reply from August 29, 2007 until today was unintentional. Therefore, Applicants note that this was an unintentional abandonment and respectfully request this petition to revive be granted.

The petition fee as required is attached herewith.

Also, as required, the complete reply required by the outstanding Notification of Defective Response is attached herewith.

Favorable action is therefore respectfully requested.

Respectfully submitted,

Koichi SUZUKI et al.

By: 

William R. Schmidt, II
Registration No. 58,327
Attorney for Applicants

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO THE DEPOSIT
ACCOUNT NO. 23-0975
03/10/2008
01 FC:1453 1540.00 0P

WRS/mjw
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
March 7, 2008

AP12 Rec'd PCT/PTO 37 MAR 2008

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Koichi SUZUKI et al. : Attorney Docket No. 2006_0470A
Serial No. 10/573,794 :
Filed March 28, 2006 :
ROYAL JELLY PEPTIDE AND
COMPOSITION CONTAINING THE SAME : Mail Stop AMENDMENT

PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$1540.00 to cover Patent Office fees relating to filing the following attached papers:

Petition to revive unintentionally abandoned application \$1540.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Koichi SUZUKI et al.

By


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Registration No. 58,327
Attorney for Applicants

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ACCOUNT NO. 23-0975

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2033 K St., N.W., Suite 800
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Telephone (202) 721-8200
March 7, 2008

[Check No. 85047]
2006_0470A

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Koichi SUZUKI et al. : Attorney Docket No. 2006_0470A
Serial No. 10/573,794 :
Filed March 28, 2006 :
ROYAL JELLY PEPTIDE AND
COMPOSITION CONTAINING THE SAME : Mail Stop AMENDMENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6861**
Koichi SUZUKI et al. : Attorney Docket No. 2006_0470A
Serial No. 10/573,794 :
Filed March 28, 2006 :
ROYAL JELLY PEPTIDE AND
COMPOSITION CONTAINING THE SAME : **Mail Stop: Missing Parts**

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response mailed September 12, 2007,
Applicants herein provide the following amendments and remarks.

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

AMENDMENTS TO THE SPECIFICATION

In the Sequence Listing:

Please replace the Sequence Listing of record with the attached revised substitute Sequence Listing.

REMARKS

The foregoing amendments are presented to place the application in compliance with the Sequence Rules under 37 C.F.R. § 1.821-1.825.

In the Notice, it was indicated that the paper or compact disc copy of the Sequence Listing is not the same as the computer readable form ("CRF") of the Sequence Listing as required under US practice.

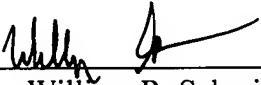
In reply, enclosed herewith is a substitute Sequence Listing in both paper and computer readable form as required by 37 C.F.R. § 1.821(c) and (e). The content of the paper and computer readable copies are the same and no new matter has been added. Amendments directing its entry into the specification have also been incorporated herein.

In view of the foregoing, it is believed that each requirement set forth in the Notice has been satisfied, and that the application is now in compliance with the Sequence Rules under 37 C.F.R. § 1.821-1.825.

Favorable action on the merits is respectfully requested.

Respectfully submitted,

Koichi SUZUKI et al.

By: 

William R. Schmidt, II
Registration No. 58,327
Attorney for Applicants

WRS/mjw
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
March 7, 2008

SEQUENCE LISTING

<110> Japan Science and Technology Agency
SUZUKI, Koichi
SAKAI, Masato

<120> ROYAL JELLY PEPTIDE AND COMPOSITION CONTAINING THE SAME

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20 25 30

96

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,794	Koichi Suzuki	2006_0470A
		INTERNATIONAL APPLICATION NO.
		PCT/JP04/14544
		I.A. FILING DATE
		PRIORITY DATE
		09/27/2004
		09/29/2003
CONFIRMATION NO. 6861		
371 FORMALITIES LETTER		
 *OC000000025780087*		

Date Mailed: 09/12/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 03/28/2006
- Copy of the International Search Report filed on 03/28/2006
- Copy of IPE Report filed on 03/28/2006
- Preliminary Amendments filed on 03/28/2006
- Biochemical Sequence Diskette filed on 03/28/2006
- Oath or Declaration filed on 03/28/2006
- Biochemical Sequence Listing filed on 05/23/2007
- Request for Immediate Examination filed on 02/28/2007
- U.S. Basic National Fees filed on 03/28/2006
- Priority Documents filed on 03/28/2006
- Power of Attorney filed on 03/28/2006
- Non-English Language Application filed on 03/28/2006
- Specification filed on 03/28/2006
- Claims filed on 03/28/2006
- Abstracts filed on 03/28/2006
- Drawings filed on 03/28/2006
- Paper nucleotide sequence listings filed on 03/28/2006

COPY

Applicant's response filed 05/23/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 01/29/2007 have not been completed.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or

compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/573,794	PCT/JP04/14544	2006_0470A